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<b>(54) Title:</b> METHODS AND COMPOSITIONS USING CETIRIZINE IN COMBINATION WITH LEUKOTRIENE INHIBITORS FOR TREATING CONDITIONS RESPONSIVE TO LEUKOTRIENE INHIBITION  <b>(57) Abstract</b>  Methods and pharmaceutical compositions employing (+) cetirizine, (-) cetirizine, or racemic cetirizine, or a pharmaceutically acceptable salt thereof, and a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, or decongestant for the treatment, management, and/or prevention of inflammation, asthma or symptoms thereof, allergic disorders such as allergic rhinitis, and dermatitis.		

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METHODS AND COMPOSITIONS USING CETIRIZINE IN COMBINATION WITH LEUKOTRIENE INHIBITORS FOR  
TREATING CONDITIONS RESPONSIVE TO LEUKOTRIENE INHIBITION

1. FIELD OF THE INVENTION

5 The invention relates to methods of prevention and treatment using, and pharmaceutical compositions containing, cetirizine and a leukotriene inhibitor.

2. BACKGROUND OF THE INVENTION

10 In its racemic form, cetirizine, chemically named 2-[4-[(4-chlorophenyl)-phenylmethyl]-1-piperazinyl]ethoxy]acetic acid, is an orally active, potent, long acting peripheral histamine H<sub>1</sub> receptor antagonist. See, e.g., Juhlin, L., et al. J. Allergy Clin. Immunol. 80:599-602 (1987); De Vos, C., et al. Annal. Allergy 59:278-282 (1987); U.S. Patent No. 15 4,525,358. Cetirizine is a second generation H<sub>1</sub> histamine receptor antagonist that generally offers some significant advantages beyond the first generation compounds. These advantages include: (1) less sedation, (2) little anticholinergic activity, and (3) longer duration of 20 activity. The medicinal chemistry of cetirizine is described by Campoli-Richards et al., Drugs 40:762-781(1990), Snyder and Snowman, Allergy 59II:4-8(1987), and Rihoux and DuPont, Annals of Allergy 59:235-238(1987).

25 Cetirizine has been employed in the treatment of some symptoms of allergic reactions. For example, U.S. Patent No. 5,419,898 to Ikejiri et al. discloses antiallergic compositions containing cetirizine for ophthalmic or nasal use. Its efficacy in the treatment of some other symptoms 30 associated with asthma, however, is limited. Specifically, clinical studies conducted by Gong and coworkers revealed that the compound, when administered to patients in doses as large as 20 mg, is not uniformly effective in preventing allergen- or exercise-induced bronchoconstriction (Gong, H., et al. J. Allergy Clin. Immunol. 85:632-641 (1990)). 35

In only a few cases has cetirizine been combined with other drugs for the treatment of disease. For example, U.S.

Patent No. 4,829,064 to Sunshine et al. discloses compositions useful for treating cold symptoms comprising cetirizine and an analgesic. Published European Patent Application No. 433766 A1 to York et al. discloses  
5 compositions of cetirizine and an antiallergic compound useful for treating ophthalmic allergic responses.

Although the stereoselectivity of some drugs is well known (see, e.g., Ariens, E.J. Schweiz. Med. Wocheuschr. 120:131-134 (1994)), disclosures directed to the combination  
10 of cetirizine with other drugs have taught away from combinations comprising optically pure enantiomers of cetirizine. Recently, however, some advantages of treating certain diseases with an optically pure enantiomer of cetirizine alone has been recognized.

15 U.S. Patent No. 5,627,183 discloses methods of treating urticaria using optically pure (+) cetirizine. U.S. Patent No. 5,698,558 discloses methods of treating certain allergic disorders using (-) cetirizine. Both patents disclose that the administration of optically pure enantiomers of  
20 cetirizine can reduce or avoid adverse side effects associated with the use of racemic cetirizine. These side effects include sedation and somnolence, headache, gastrointestinal disturbance, dizziness, nausea, cardiac arrhythmias, and other cardiovascular effects. Such adverse  
25 effects are common to non-sedating antihistamines.

It has been suggested that the moderate effectiveness of some H<sub>1</sub>-antihistamines is due in part to their additional activity against leukotrienes, particularly leukotriene D<sub>4</sub> (LTD<sub>4</sub>). Leukotrienes augment neutrophil and eosinophil  
30 migration, neutrophil and monocyte aggregation, leukocyte adhesion, increase capillary permeability, and smooth muscle contraction, all of which contribute to inflammation, edema, mucus secretion, and bronchoconstriction.

In one study of guinea pigs, the increase in airway  
35 resistance caused by LTD<sub>4</sub> was suppressed by the antihistamine terfenadine. See Akagi et al., Oyo Yakuri, 35: 361-371 (1988). In another study, twenty H<sub>1</sub>-antihistamines with

diverse chemical structures were tested for activity against LTD<sub>4</sub>-induced contraction in isolated guinea-pig ileum and displacement of [<sup>3</sup>H]LTD<sub>4</sub> from guinea-pig lung membrane proteins (M. Zhang et al., *Inflamm. res.* 46:Supp. I S93-S94 5 (1997)). The results indicated the drugs were weakly active in inhibiting LTD<sub>4</sub>-induced contraction of guinea pig ileum.

A number of drugs have been designed specifically to inhibit leukotriene formation. One of these, zileuton, is a specific inhibitor of 5-lipoxygenase. Commercially available 10 as ZYFLO®, it has the chemical name (±)-1-(1-Benzo[b]thien-2-yl-ethyl)-1-hydroxyurea. Zileuton is known to inhibit leukotriene (LTH<sub>4</sub>, LTC<sub>4</sub>, LTD<sub>4</sub>, and LTE<sub>4</sub>) formation *in vitro*. Zileuton is an inhibitor *ex vivo* of LTB<sub>4</sub> formation in several species and inhibits leukotriene-dependent smooth muscle 15 contractions *in vitro* in guinea pig and human airways. One study of 373 patients indicated that 600 mg of zileuton four times daily were required to provide efficacy, while 400 mg failed to do so. In some patients, zileuton was reported to cause headache, pain, asthenia, dyspepsia, nausea, and 20 myalgia (Physician's Desk Reference, 52 ed., Medical Economics Co., Inc., 474-76 (1998)).

Zafirlukast, sold commercially as ACCOLATE®, is another type of leukotriene inhibitor. This leukotriene inhibitor is a leukotriene receptor antagonist (LTRA) of leukotriene D<sub>4</sub> and 25 E<sub>4</sub>, and has the chemical name 4-(5-cyclopentyloxy-carbonylamino-1-methyl-indol-8-ylmethyl)-3-methoxy-N-o-tolylsulfonylbenzamide. Cysteinyl leukotriene production and receptor occupation have been correlated with the pathophysiology of asthma. *In vitro* studies indicated that 30 zafirlukast antagonized the contractile activity of three leukotrienes in conducting airway smooth muscle from laboratory animals and humans; prevented intradermal LTD<sub>4</sub>-induced increases in cutaneous vascular permeability; and inhibited inhaled LTD<sub>4</sub>-induced influx of eosinophils into 35 animal lungs. In some patients, zafirlukast has been reported to cause headache, infection, nausea, diarrhea, pain, asthenia, abdominal pain, dizziness, myalgia, fever,

vomiting, SGPT elevation, and dyspepsia (Physician's Desk Reference, 52 ed., Medical Economics Co., Inc., 3148-49 (1998)).

### 5 3. SUMMARY OF THE INVENTION

The present invention represents an improvement over both the cetirizine and the leukotriene inhibitor technology presently available.

This invention relates to novel pharmaceutical compositions comprising: (a) an optically pure enantiomer of cetirizine, a racemic mixture of cetirizine, or a pharmaceutically acceptable salt thereof; and (b) a leukotriene inhibitor. These compositions may optionally contain an additional ingredient, such as a decongestant.

15 The compositions of the present invention are believed to improve upon, and are superior to, those of the prior art used to treat or prevent asthma, asthma symptoms, inflammation, allergic disorders such as allergic rhinitis, and dermatitis. Unexpectedly, it is believed that there is a synergistic effect when cetirizine, or an enantiomer or salt thereof, is used in combination with one or more leukotriene inhibitors. Both racemic and optically pure enantiomers of cetirizine may be used to achieve this synergistic effect. Furthermore, the compositions and methods of this invention  
25 avoid or reduce certain adverse side effects associated with second generation H<sub>1</sub> histamine receptor antagonists.

The compositions of this invention possess potent antihistaminic activity. They are useful for treating and preventing the occurrence of asthma or asthma symptoms. They  
30 are also useful for the treatment and prevention of dermatitis, inflammation, and allergic disorders such as allergic rhinitis. The compositions of this invention may also be used to treat the symptoms of allergic asthma, allergic rhinitis, and other allergic disorders, as well as  
35 dermatitis. In addition, the compositions of the invention reduce or avoid adverse effects generally associated with administration of non-sedating antihistamines, such as

racemic cetirizine or an enantiomer of cetirizine. Adverse effects include, but are not limited to, cardiac arrhythmias, drowsiness, nausea, fatigue, weakness and headache.

The compositions of this invention are also useful in combination with non-steroidal anti-inflammatory agents or other non-narcotic analgesics for the treatment or prevention of inflammation, cough, cold, cold-like, and/or flu symptoms and the discomfort, headache, pain, fever, and general malaise associated therewith. The aforementioned combinations (e.g., an enantiomer or racemic mixture of cetirizine and a leukotriene inhibitor) may optionally include one or more other active components including a decongestant, cough suppressant/antitussive, or expectorant.

Additionally, the novel pharmaceutical compositions of the invention are useful in treating, preventing, or managing motion sickness, vertigo, diabetic retinopathy, small vessel complications due to diabetes and such other conditions as may be related to the activity of these derivatives as antagonists of the  $H_1$  histamine receptor. The compositions can be used to treat or prevent these disorders while reducing or avoiding adverse effects associated with administration of non-sedating antihistamines.

In one embodiment, this invention provides for a method of treating or preventing asthma or asthma symptoms in a human which comprises administering to a human a therapeutically effective amount of an optically pure enantiomer of cetirizine, racemic cetirizine, or a pharmaceutically acceptable salt thereof, and a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof. Preferably, the leukotriene inhibitor is a 5-lipoxygenase inhibitor or a 5-lipoxygenase activating protein antagonist.

The invention also provides a method of treating or preventing asthma or asthma symptoms in a human comprising administering to a human a composition, said composition comprising (i) a therapeutically effective amount of an optically pure enantiomer of cetirizine, racemic cetirizine,

or a pharmaceutically acceptable salt thereof; (ii) a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists, 5 and leukotriene receptor antagonists; and a pharmaceutically acceptable carrier or excipient.

This invention is further directed to a method of treating or preventing asthma or the symptoms of asthma in a human which comprises administering to a human  
10 therapeutically effective amounts of an optically pure enantiomer of cetirizine, racemic cetirizine, or a pharmaceutically acceptable salt thereof, a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, and a decongestant. Preferably, the leukotriene inhibitor is a  
15 5-lipoxygenase inhibitor or a 5-lipoxygenase activating protein antagonist.

In a second embodiment, the invention provides for a method of treating or preventing dermatitis in a human which comprises administering to a human a therapeutically  
20 effective amount of an optically pure enantiomer of cetirizine, racemic cetirizine, or a pharmaceutically acceptable salt thereof, and a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

In a third embodiment, the invention provides for a  
25 method of treating or preventing allergic rhinitis in a human which comprises administering to a human a therapeutically effective amount of an optically pure enantiomer of cetirizine, racemic cetirizine, or a pharmaceutically acceptable salt thereof, and a leukotriene inhibitor, or a  
30 pharmaceutically acceptable salt thereof. Preferably, the leukotriene inhibitor is a 5-lipoxygenase inhibitor or a 5-lipoxygenase activating protein antagonist.

In a fourth embodiment, the invention provides for a method of treating or preventing inflammation in a human  
35 which comprises administering to a human a therapeutically effective amount of an optically pure enantiomer of cetirizine, racemic cetirizine, or a pharmaceutically



acceptable salt thereof, and a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

In a fifth embodiment, the invention provides for a method of preventing or treating a condition responsive to leukotriene inhibition which comprises administering to a human a therapeutically effective amount of cetirizine, or a pharmaceutically acceptable salt thereof, a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, and optionally a decongestant, or a pharmaceutically acceptable salt thereof.

The invention encompasses the treatment, prevention, and/or management of these disorders using a single unit dosage form that contains an optically pure enantiomer of cetirizine or racemic cetirizine, or a pharmaceutically acceptable salt thereof, and a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, such that the cetirizine component and leukotriene inhibitor are in one solid or liquid dosage form. It should be recognized, however, that combination therapy by separate administration of each active ingredient is also contemplated.

Consequently, the administration of the active ingredients (i.e., optically pure or racemic cetirizine and leukotriene inhibitor, and optionally decongestant) of this invention may be concurrent or sequential. For example, a cetirizine component and a leukotriene inhibitor may be administered as a combination, concurrently but separately, or by the sequential administration of cetirizine and leukotriene inhibitor or the sequential administration of a leukotriene inhibitor and cetirizine. Cetirizine may be administered in a similar manner with a decongestant.

#### 4. DETAILED DESCRIPTION OF THE INVENTION

The present invention encompasses the treatment, prevention, and/or management of asthma, the symptoms of asthma, dermatitis, inflammation, or allergic disorders, such as allergic rhinitis, using an optically pure enantiomer of cetirizine or racemic cetirizine, or a pharmaceutically

acceptable salt thereof, in combination with a leukotriene inhibitor; and optionally a decongestant.

According to the present invention, all means of treatment, prevention, and/or management of these disorders, including, but not limited to, topical, local, and systemic, may employ racemic cetirizine, optically pure (+) cetirizine or (-) cetirizine, or a pharmaceutically acceptable salt thereof. It is preferred, however, that (+) cetirizine, or a pharmaceutically acceptable salt thereof, in combination with a leukotriene inhibitor, and optionally a decongestant, be used for the topical or local treatment, prevention, and/or management of dermatitis, inflammation, or related disorders. It is preferred that (-) cetirizine, or a pharmaceutically acceptable salt thereof, be used in combination with a leukotriene inhibitor, and optionally a decongestant, for the systemic treatment of asthma, the symptoms of asthma, or allergic disorders, such as allergic rhinitis.

Without being limited by theory, it is believed that (-) cetirizine generally has a lower affinity towards the cortex H<sub>1</sub> histamine receptor than (+) cetirizine. Consequently, the administration of (-) cetirizine in combination with a leukotriene inhibitor and optionally a decongestant may have fewer undesirable effects on the central nervous system, such as sedation or drowsiness, than would result from administration of the corresponding (+) cetirizine combination. At the same time, (+) cetirizine is able to inhibit the effects of histamine present in high local concentrations. For at least this reason, topical or local treatment, prevention, and/or management of inflammation and other disorders may be more effective with the administration of (+) cetirizine in combination with a leukotriene inhibitor and optionally a decongestant than with the administration of the corresponding (-) cetirizine combination.

It should be recognized that the invention includes the use of the cetirizine active ingredient and the leukotriene inhibitor as a combination either in a single composition, or

separately but concurrently and/or sequentially. The same is true when an optional decongestant is used.

The methods and compositions of this invention are believed to reduce or avoid adverse effects associated with administration of non-sedating antihistamines, and particularly with administration of racemic cetirizine alone. The methods and compositions described herein are believed to provide superior or improved therapy over prior art methods and compositions involving optically pure or racemic cetirizine in the absence of a leukotriene inhibitor, or a leukotriene inhibitor in the absence of optically pure or racemic cetirizine. Without being limited by theory, it is believed that the combination of optically pure or racemic cetirizine, or a pharmaceutically acceptable salt thereof, a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, and optionally a decongestant, provides superior, improved, and synergistic effects unachievable by any of these compounds alone.

The preparation of racemic cetirizine can be performed by the methods described in U.S. Patent No. 2,899,436 to Morren et al., U.S. Patent No 4,525,358 to Bates et al., or by an improved procedure described in British Application No. 2,225,320 of Cossement et al., the disclosures of which are hereby expressly incorporated herein by reference thereto for this purpose. Synthesis of substantially optically pure (+) and (-) enantiomers of cetirizine is described in British Application No. 2,225,320 of Cossement et al., as well as in U.S. Patent No. 5,478,941 to Cossement et al., the disclosures of which are also expressly incorporated herein by reference thereto. Alternatively, the optically pure enantiomers can be resolved from the racemic mixture using standard techniques available in the art.

As used herein, the terms "adverse effects" and "adverse side effects" include, but are not limited to, cardiac arrhythmias, cardiac conduction disturbances, appetite stimulation, weight gain, sedation, gastrointestinal distress, headache, dry mouth, constipation, and diarrhea.

The term "cardiac arrhythmias" includes, but is not limited to, ventricular tachyarrhythmias, torsades de pointes, and ventricular fibrillation.

The term "asthma" as used herein is defined as a disorder characterized by increased responsiveness of the trachea and bronchi to various stimuli, which results in symptoms that include, but are not limited to, wheezing, cough, shortness of breath, dyspnea, and the like. Asthma includes, for example, allergic asthma.

10 The term "dermatitis" as used herein is that disorder caused by inflammation to the skin including endogenous and contact dermatitis such as, but not limited to: actinic dermatitis (or photodermatitis), atopic dermatitis, chemical dermatitis, cosmetic dermatitis, dermatitis aestivalis, and  
15 seborrheic dermatitis.

As used herein, the term "pharmaceutically acceptable salt" refers to a salt prepared from pharmaceutically acceptable non-toxic acids or bases including inorganic acids or bases or organic acids or bases. Examples of such  
20 inorganic acids are hydrochloric, hydrobromic, hydroiodic, sulfuric, and phosphoric. Appropriate organic acids may be selected, for example, from aliphatic, aromatic, carboxylic and sulfonic classes of organic acids, examples of which are formic, acetic, propionic, succinic, glycolic, glucuronic,  
25 maleic, furoic, glutamic, benzoic, anthranilic, salicylic, phenylacetic, mandelic, embonic (pamoic), methanesulfonic, ethanesulfonic, pantothenic, benzenesulfonic, stearic, sulfanilic, algenic, and galacturonic. Examples of such inorganic bases include metallic salts made from aluminum,  
30 calcium, lithium, magnesium, potassium, sodium, and zinc. Appropriate organic bases may be selected, for example, from N,N-dibenzylethylenediamine, chloroprocaine, choline, diethanolamine, ethylenediamine, meglumaine (N-methylglucamine), lysine and procaine.

35 The terms "substantially optically pure," "optically pure," and "optically pure enantiomers" as used herein mean that the composition contains greater than about 95% of the

desired enantiomer by weight, preferably greater than about 98% of the desired enantiomer by weight, and most preferably greater than about 99% of the desired enantiomer by weight, said percent based upon the total weight of cetirizine. In 5 other words, the term "substantially free" means less than about 5 weight percent, preferably less than about 2 weight percent, and more preferably less than about 1 weight percent.

The term "cetirizine" when used without modification 10 means the compound in all its forms, including, but not limited to, racemic cetirizine, optically pure enantiomers of cetirizine, and mixtures thereof.

The term "racemic" as used herein means a mixture of the (+) and (-) enantiomers of a compound wherein the (+) and (-) 15 enantiomers are present in approximately a 1:1 ratio.

The phrase "therapeutically effective amount of cetirizine" as used herein means that amount of optically pure or racemic cetirizine, or a pharmaceutically acceptable salt thereof, which, alone or in combination with other 20 drugs, provides a therapeutic benefit in the treatment, management, or prevention of conditions that are responsive to histamine antagonists, such as asthma, asthma symptoms, allergic disorders such as allergic rhinitis, and dermatitis.

The phrase "therapeutically effective amount of 25 leukotriene inhibitor" as used herein means that amount of leukotriene inhibitor which alone, or in combination with other drugs, provides a therapeutic benefit in the treatment, management, or prevention of any condition that is responsive to leukotriene inhibitors, such as asthma, asthma symptoms, 30 inflammation, allergic disorders such as allergic rhinitis, and dermatitis.

The phrase "therapeutically effective amount of a decongestant" as used herein means that amount of decongestant which alone, or in combination with other drugs, 35 provides a therapeutic benefit in the treatment, management, or prevention of congestion of the respiratory tract and/or sinus.

The term "leukotriene inhibitor" as used herein includes any agent or compound that inhibits, restrains, retards or otherwise interacts with the action or activity of leukotrienes, such as, but not limited to, 5-lipoxygenase 5 ("5-LO") inhibitors, 5-lipoxygenase activating protein ("FLAP") antagonists, and leukotriene receptor antagonists ("LTRAs").

The term "5-lipoxygenase inhibitor" or "5-LO inhibitor" as used herein includes any agent or compound that inhibits, 10 restrains, retards or otherwise interacts with the enzymatic action of 5-lipoxygenase, such as, but not limited to, zileuton, docebenone, piripost, and ICI-D2318.

The term "5-lipoxygenase activating protein antagonist" or "FLAP antagonist" as used herein includes any agent or 15 compound that inhibits, restrains, retards or otherwise interacts with the action or activity of 5-lipoxygenase activating protein, such as, but not limited to, MK-591 and MK-886.

The term "leukotriene receptor antagonist" or "LTRA" as 20 used herein includes any agent or compound that inhibits, restrains, retards or otherwise antagonizes the activity of receptors that are responsive to leukotrienes, including those responsive to leukotriene D<sub>4</sub>. Exemplary LTRAs include sodium 1-(((R)-(3-(2-(6,7-difluoro-2-quinolinyl)-ethenyl)phenyl)-3-(2-(2-hydroxy-2-propyl)phenyl)thio)methyl)-cyclopropaneacetate, 1-(((1(R)-(3-(2-(2,3-dichlorothieno[3,2-b]pyridin-5-yl)-(E)-ethenyl)phenyl)-3-(2-(1-hydroxy-1-methylethyl)phenyl)propyl)thio)methyl)cyclopropaneacetic acid or salts thereof, pranlukast, zafirlukast (ICI-204219), and 30 montelukast (MK-476), the latter of which is sold commercially as SINGULAIR®.

The magnitude of a prophylactic or therapeutic dose of optically pure or racemic cetirizine or leukotriene inhibitor in the acute or chronic prevention, treatment, or management 35 of a disorder or condition will vary with the severity of the condition to be treated and the route of administration. The dose, and perhaps the dose frequency, will also vary

according to the age, body weight, and response of the individual patient. The magnitude of the dose may also depend upon whether optically pure or racemic cetirizine is used. Furthermore, if an optically pure enantiomer of  
5 cetirizine is used, the magnitude of the dose may depend upon whether it is the (+) or (-) enantiomer. Suitable total daily dose ranges can be readily determined by those skilled in the art. In general, the total daily dose range for optically pure or racemic cetirizine, for the conditions  
10 described herein, is from about 0.01 mg to about 50 mg administered in single or divided doses. For example, a preferred oral daily dose range should be from about 1 mg to about 30 mg. A more preferred oral dose is about 5 mg to about 25 mg. A preferred oral daily dose range of  
15 decongestant, such as pseudoephedrine, should be from about 50 mg to about 300 mg, more preferably, about 150 mg to about 250 mg. In addition, suitable oral daily dosage ranges of leukotriene inhibitor can be readily determined by those skilled in the art (see, e.g., Physician's Desk Reference).  
20 For example, for 5-lipoxygenase inhibitors, a preferred oral daily dose range of leukotriene inhibitor should typically be from about 20 mg to 2,500 mg, preferably about 20 mg to 800 mg. For leukotriene receptor antagonists, a preferred oral daily dose of leukotriene inhibitor should typically be from  
25 about 2 mg to 100 mg, preferably about 5 mg to 20 mg.

It is further recommended that children, patients aged over 65 years, and those with impaired renal or hepatic function initially receive low doses, and that they then be titrated based on individual response(s) or blood level(s).  
30 It may be necessary to use dosages outside these ranges in some cases as will be apparent to those skilled in the art. Further, it is noted that the clinician or treating physician will know how and when to adjust, interrupt, or terminate therapy in conjunction with individual patient response.  
35 Any suitable route of administration may be employed for providing the patient with an effective dosage of an optically pure or racemic cetirizine and leukotriene

inhibitor according to the methods of the present invention. For example, oral, intraoral, rectal, parenteral, epicutaneous, transdermal, subcutaneous, intramuscular, intranasal, sublingual, buccal, intradural, intraocular, 5 intrarespiratory, or nasal inhalation and like forms of administration may be employed. Oral administration is generally preferred. For the methods to treat dermatitis, however, topical administration is preferred.

The pharmaceutical compositions used in the methods of 10 the present invention, which are sterile and stable, include optically pure or racemic cetirizine, or a pharmaceutically acceptable salt thereof, a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, and optionally a decongestant, as the active ingredient. The compositions may 15 also contain a pharmaceutically acceptable carrier or excipient, and, optionally, other therapeutic ingredients.

The compositions for use in the methods of the present invention can include suitable excipients or carriers such as starches, sugars, microcrystalline cellulose, diluents, 20 granulating agents, lubricants, binders, disintegrating agents, and the like.

Dosage forms include tablets, troches, dispersions, suspensions, solutions, capsules, patches, gel caps, syrups, elixirs, gels, powders, magmas, lozenges, ointments, creams, 25 pastes, plasters, lotions, discs, suppositories, nasal or oral sprays, aerosols, and the like.

Because of their ease of administration, tablets and capsules represent the most advantageous oral dosage unit form, in which case solid pharmaceutical carriers are 30 employed. If desired, tablets may be coated by standard aqueous or nonaqueous techniques.

In addition to the common dosage forms set out above, the compound for use in the methods of the present invention may also be administered by controlled release means and/or 35 delivery devices such as those described in U.S. Patent Nos. 3,845,770; 3,916,899; 3,536,809; 3,598,123; and 4,008,719,



the disclosures of which are expressly incorporated herein by reference thereto.

Pharmaceutical compositions for use in the methods of the present invention may be prepared by any of the methods of pharmacy, but all methods include the step of bringing into association the active ingredient with the carrier which constitutes one or more necessary ingredients. In general, the compositions are prepared by uniformly and intimately admixing the active ingredient with liquid carriers or finely divided solid carriers or both, and then, if necessary, shaping the product into the desired presentation.

For example, a tablet may be prepared by compression or molding, optionally, with one or more accessory ingredients. Compressed tablets may be prepared by compressing in a suitable machine the active ingredient in a free-flowing form such as powder or granules, optionally mixed with a binder, lubricant, inert diluent, surface active or dispersing agent. Molded tablets may be made by molding, in a suitable machine, a mixture of the powdered compound moistened with an inert liquid diluent.

The invention is further defined by reference to the following examples describing in detail the preparation of the composition and the compositions used in the methods of the present invention, as well as their utility. It will be apparent to those skilled in the art that many modifications, both to materials and methods, may be practiced which are within the scope of this invention.

## 5. EXAMPLES

### 30 5.1 Synthesis of Racemic Cetirizine:

The dihydrochloride salt of  $(\pm)2-[2-[-4-[(4\text{-chlorophenyl})\text{phenylmethyl}]-1\text{-piperazinyl}]\text{ethoxy}]\text{-acetic acid}$  may be prepared according to the method of Cossement et al., disclosed in British Patent Application No. 2,225,321.

35 In 250 ml of ethanol, 23 g (0.062 mole) of racemic  $2-[2-[-4-[(4\text{-chlorophenylmethyl}]-1\text{-piperazinyl}]\text{ethoxy}]\text{-acetonitrile}$  and 31 ml of a 4N ethanolic solution of

potassium hydroxide are introduced successively into a three-necked round-bottomed flask equipped with a mechanical stirrer, a condenser and a thermometer. The reaction mixture is refluxed for 10 hours, while stirring. It is then allowed to cool and its pH is brought to 6 by addition of 37% concentrated hydrochloric acid. The ethanol is evaporated and the reaction mixture is diluted with 100 ml of water and extracted three times with 200 ml of dichloromethane.

The organic phases are combined, dried over magnesium sulphate, filtered, and concentrated in a rotary evaporator. An oil is obtained and is allowed to crystallize by addition of 100 ml of 2-butanone, while hot. The solid formed is filtered, washed, and dried to obtain 18.9 g of racemic 2-[2-[-4-[(4-chlorophenyl)phenylmethyl]-1-piperazinyl]ethoxy]-acetic acid.

The acid is resuspended in 150 ml of water, the pH of which is brought to 0.8 by addition of concentrated hydrochloric acid. The aqueous solution is concentrated on a rotary evaporator and the residue is then diluted by addition of 75 ml of 2-butanone. This induces crystallization of racemic 2-[2-[-4-[(4-chlorophenyl)phenylmethyl]-1-piperazinyl]ethoxy]-acetic acid dihydrochloride. The crystals are filtered off and dried to yield 21.7 g (75.9%) of product. The melting point of the crystals is 220.15°C as measured by differential scanning calorimetry (DSC).

## 5.2 Alternative Synthesis of Racemic Cetirizine:

Alternatively, (+) 2-[2-[-4-[(4-chlorophenyl)-phenylmethyl]-1-piperazinyl]ethoxy]-acetic acid may be prepared according to the method of Baltes et al. disclosed in U.S. Patent No. 4,525,358. In this method, 2-[2-[4-Diphenylmethyl)-1-piperazinyl]ethoxy]-acetamide dihydrochloride is first synthesized as follows.

A mixture of 37.8 g (0.15 mole) of 1-(diphenylmethyl)-piperazine, 27.5 g (0.2 mole) of 2-(2-chloroethoxy)-acetamide and 26.5 g of anhydrous sodium carbonate in 120 ml of xylene is heated for 4 hours to 90°C to 120°C. Thereafter, 120 ml

of benzene are added to the reaction mixture, the precipitate formed is filtered off and the organic phase is extracted with dilute hydrochloric acid (30 ml of concentrated hydrochloric acid and 100 ml of water). 40 ml of a concentrated aqueous solution of sodium hydroxide are added, followed by extraction with benzene. The benzene solution is washed with water, dried over anhydrous sodium carbonate and the benzene is evaporated off to dryness. The evaporation residue is titrated with diethyl ether and left to crystallize. 2-[2-[4-Diphenylmethyl)-1-piperazinyl]ethoxy]-acetamide is obtained in a yield of 73% (M.P. 119°C-120°C).

In the second part of the synthesis, a mixture of 19 g (0.054 mole) of 2-[2-[4-diphenylmethyl)-1-piperazinyl]ethoxy]-acetamide in 200 ml of ethanol and 27 ml of a 4 N ethanolic solution of sodium hydroxide is heated under reflux for 3 hours. The reaction mixture is adjusted with 29.7 ml of 3.61 N hydrochloric acid to a pH of 6.3, whereafter the ethanol is evaporated off in a vacuum. The precipitate obtained is filtered off. After evaporation of the solvent, 17.4 g of crude 2-[2-[4-diphenylmethyl)-1-piperazinyl]ethoxy]-acetic acid are obtained (yield = 91%; M.P. 100°C). This product may be purified by conventional means known to those skilled in the art.

### 25      5.3 Synthesis of Optically Pure (+) Cetirizine:

The dihydrochloride salt of (+)2-[2-[-4-[(4-chlorophenyl)phenylmethyl)-1-piperazinyl]ethoxy]-acetic acid may be prepared according to the method of Cossement et al. disclosed in British Patent Application No. 2,225,321.

30      9.42 g (0.0255 mole) of levorotatory 2-[2-[4-[(4-chlorophenyl)phenylmethyl)-1-piperazinyl]ethoxy]-acetonitrile are introduced into a reactor equipped with a mechanical stirrer, a condenser, a thermometer, and a dropping funnel and are heated to 45°C, while stirring. 15 ml of 37% concentrated hydrochloric acid are then added. The temperature of the reaction mixture rises to 92°C. The temperature of the reaction mixture is maintained at 60°C for

60 minutes while stirring. The reaction mixture is allowed to cool and is concentrated on a rotary evaporator. The residue is then taken up in 50 ml of water. The pH of the reaction mixture is brought to 5 by addition of sodium hydroxide and the mixture is extracted with several successive fractions of dichloromethane. The organic phases are combined and dried over magnesium sulphate and the solvent is removed on a rotary evaporator. 9.6 g of the free acid of the final product are thus obtained in the form of a beige powder, which are then converted into the dihydrochloride by means of a solution of hydrochloric acid in acetone. The dihydrochloride is crystallized from this solution. After filtration and drying, 9.8 g of (+)2-[2-(4-[(4-chlorophenyl)phenylmethyl]-1-piperazinyl)ethoxy]-acetic acid dihydrochloride are obtained. The purity of this product, obtained in 83% yield, may be measured by high performance liquid chromatography with a chiral stationary phase of a  $\alpha_1$ -AGP (from the LKB Company). It is typically 95% with respect to the dextrorotatory enantiomer. The product has a melting point of 199-201°C (224.4°C as measured by DSC), and an  $[\alpha]$  of +9.4° (c = 1, water).

#### 5.4 Synthesis of Optically Pure (-) Cetirizine:

This product is obtained by the method described in example 5.3, but starting from dextrorotatory 1-[(4-chlorophenyl)phenylmethyl]-piperazine, the latter being obtained by treating the racemate with (2S,3S)-tartaric acid using techniques known to those skilled in the art.

The dihydrochloride salt of (-)2-[2-[-4-[(4-chlorophenyl)phenylmethyl]-1-piperazinyl]ethoxy]-acetic acid is obtained in yields and with a purity very close to those obtained for the dextrorotatory acid dihydrochloride: 95% measured by high performance liquid chromatography with a chiral stationary phase of  $\alpha_1$ -AGP (from the LKB Company). The product has a melting point of 198-200°C (220.7°C as measured by DSC), but decomposes upon melting.

While the present invention has been described with respect to the particular embodiments, it will be apparent to those skilled in the art that various changes and modifications may be made without departing from the spirit and scope of the invention as defined in the claims. Such modifications are also intended to fall within the scope of the appended claims.

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THE CLAIMS

What is claimed is:

1. A method of treating or preventing asthma or a symptom thereof in a human which comprises administering to a human:

(a) a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof, and;

(b) a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

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2. A method of treating or preventing asthma or a symptom thereof in a human which comprises administering to a human a composition, said composition comprising:

(a) a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists, and leukotriene receptor antagonists, and mixtures thereof, and;

(c) a pharmaceutically acceptable carrier or excipient.

3. The method of claim 1 or 2 wherein the administering further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

4. The method of claim 1 or 2 wherein said human has asthma.

5. The method of claim 1 or 2 wherein said effective amount of cetirizine is an effective amount of racemic cetirizine.

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6. The method of claim 1 or 2 wherein said cetirizine is the optically pure (+) enantiomer.

7. The method of claim 1 or 2 wherein said cetirizine is the optically pure (-) enantiomer.

8. A method of treating or preventing dermatitis in a human which comprises administering to a human a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof, and a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

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9. A method of treating or preventing dermatitis in a human which comprises administering to a human a therapeutically effective amount of a composition, said composition comprising:

15 (a) cetirizine or a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists, and leukotriene receptor antagonists, and mixtures thereof, and;

(c) a pharmaceutically acceptable carrier or excipient.

25 10. The method of claim 8 or 9 wherein the administering further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

30 11. The method of claim 8 or 9 wherein said effective amount of cetirizine is an effective amount of racemic cetirizine.

12. The method of claim 8 or 9 wherein said cetirizine is the optically pure (+) enantiomer.

13. The method of claim 8 or 9 wherein said cetirizine is the optically pure (-) enantiomer.

14. A method of treating or preventing allergic rhinitis in a human which comprises administering to a human a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof, and a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

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15. A method of treating or preventing allergic rhinitis in a human which comprises administering to a human a therapeutically effective amount of a composition, said composition comprising:

15 (a) cetirizine or a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists, and leukotriene receptor antagonists, and mixtures thereof, and;

(c) a pharmaceutically acceptable carrier or excipient.

25 16. The method of claim 14 or 15 wherein the administering further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

30 17. The method of claim 14 or 15 wherein said effective amount of cetirizine is an effective amount of racemic cetirizine.

18. The method of claim 14 or 15 wherein said 35 cetirizine is the optically pure (+) enantiomer.



19. The method of claim 14 or 15 wherein said cetirizine is the optically pure (-) enantiomer.

20. A method of treating or preventing inflammation in  
5 a human which comprises administering to a human a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof, and a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

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21. A method of treating or preventing inflammation in a human which comprises administering to a human a therapeutically effective amount of a composition, said composition comprising:

15 (a) cetirizine or a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase  
20 inhibitors, 5-lipoxygenase activating protein antagonists, and leukotriene receptor antagonists, and mixtures thereof, and;

(c) a pharmaceutically acceptable carrier or excipient.

25 22. The method of claim 20 or 21 wherein the administering further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

30 23. The method of claim 20 or 21 wherein said effective amount of cetirizine is an effective amount of racemic cetirizine.

24. The method of claim 20 or 21 wherein said  
35 cetirizine is the optically pure (+) enantiomer.

25. The method of claim 20 or 21 wherein said cetirizine is the optically pure (-) enantiomer.

26. A method of treating or preventing a condition responsive to leukotriene inhibition which comprises administering to a human a therapeutically effective amount of cetirizine or a pharmaceutically acceptable salt thereof, and a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof.

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27. A method of treating or preventing a condition responsive to leukotriene inhibition which comprises administering to a human a therapeutically effective amount of a composition, said composition comprising:

15 (a) cetirizine or a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists, and leukotriene receptor antagonists, and mixtures thereof; and

(c) a pharmaceutically acceptable carrier or excipient.

25 28. The method of claim 26 or 27 wherein the administering further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

30 29. The method of claim 26 or 27 wherein said cetirizine is racemic cetirizine.

30. The method of claim 26 or 27 wherein said cetirizine is the optically pure (+) enantiomer.

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31. The method of claim 26 or 27 wherein said cetirizine is the optically pure (-) enantiomer.

32. The method of claim 26 or 27 wherein the condition responsive to leukotriene inhibition comprises asthma or a symptom thereof.

5 33. The method of claim 26 or 27 wherein the condition responsive to leukotriene inhibition comprises an allergic condition.

34. The method of claim 26 or 27 wherein the condition  
10 responsive to leukotriene inhibition comprises inflammation.

35. The method of claim 1, 8, 14, 20, or 26 wherein the amount of cetirizine is from about 0.1 mg to about 50 mg per day.

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36. The method of claim 35 wherein the cetirizine is racemic cetirizine present in an amount from about 5 mg to about 25 mg per day.

20 37. The method of claim 35 wherein the cetirizine is (+) cetirizine.

38. The method of claim 35 wherein the cetirizine is (-) cetirizine.

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39. The method of claim 1, 8, 14, 20, or 26 wherein the leukotriene inhibitor is a 5-lipoxygenase inhibitor.

40. The method of claim 39 wherein said 5-lipoxygenase  
30 inhibitor is selected from the group consisting of zileuton, docebenone, piripost, ICI-D2318, and mixtures thereof.

41. The method of claim 1, 8, 14, 20 or 26 wherein said leukotriene inhibitor is a 5-lipoxygenase activating protein  
35 antagonist.

42. The method of claim 41 wherein said 5-lipoxygenase activating protein antagonist is selected from the group consisting of MK-591, MK-886, and mixtures thereof.

5 43. The method of claim 1, 8, 14, 20 or 26 wherein said leukotriene inhibitor is a leukotriene receptor antagonist.

44. The method of claim 43 wherein said leukotriene receptor antagonist is selected from the group consisting of  
10 zafirlukast, montelukast, pranlukast, sodium 1-(((R)-(3-(2-(6,7-difluoro-2-quinolinyl)-ethenyl)phenyl)-3-(2-(2-hydroxy-2-propyl)phenyl)thio)methyl)-cyclopropaneacetate, 1-(((1(R)-(3-(2-(2,3-dichlorothieno[3,2-b]pyridin-5-yl)-(E)-ethenyl)phenyl)-3-(2-(1-hydroxy-1-methylethyl)-  
15 phenyl)propyl)thio)methyl)cyclopropaneacetic acid or salts thereof, and mixtures thereof.

45. A pharmaceutical composition which comprises:

(a) a therapeutically effective amount of cetirizine or  
20 a pharmaceutically acceptable salt thereof;

(b) a therapeutically effective amount of a leukotriene inhibitor, or a pharmaceutically acceptable salt thereof, selected from the group consisting of 5-lipoxygenase inhibitors, 5-lipoxygenase activating protein antagonists,  
25 and leukotriene receptor antagonists, and mixtures thereof; and

(c) a pharmaceutically acceptable carrier or excipient.

46. A pharmaceutical composition which comprises from  
30 about 0.1 mg to about 50 mg of cetirizine or a pharmaceutically acceptable salt thereof, and from about 2 mg to about 100 mg of leukotriene receptor antagonist, or a pharmaceutically acceptable salt thereof.

35 47. A pharmaceutical composition which comprises from about 0.1 mg to about 50 mg of cetirizine or a pharmaceutically acceptable salt thereof, and from about 20

mg to about 2500 mg of 5-lipoxygenase inhibitor, or a pharmaceutically acceptable salt thereof.

48. A pharmaceutical composition which comprises from about 0.1 mg to about 50 mg of cetirizine or a pharmaceutically acceptable salt thereof, and from about 20 mg to about 2500 mg of 5-lipoxygenase activating protein antagonist, or a pharmaceutically acceptable salt thereof.

10 49. The pharmaceutical composition of claim 45 which further comprises a therapeutically effective amount of a decongestant, or a pharmaceutically acceptable salt thereof.

50. The composition of claim 45, 46, 47, or 48 wherein 15 said effective amount of cetirizine is an effective amount of racemic cetirizine.

51. The composition of claim 45, 46, 47, or 48 wherein said effective amount of cetirizine is an effective amount of 20 (+) cetirizine.

52. The composition of claim 45, 46, 47, or 48 wherein said effective amount of cetirizine is an effective amount of (-) cetirizine.

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# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/08076

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 A61K45/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 780 127 A (PROCTER & GAMBLE) 25 June 1997 (1997-06-25)  page 2, line 41,42; example 2 page 3, line 24-30; claims 1,4-6 page 4, line 6-10 page 4, column 38-42 ---	14-19, 26-31, 33, 35-38, 45-52
X	DA MOTTA ET AL: "Drug Modulation of Antigen-Induced Paw Edema in Guinea Pigs: Effects of Lipopolysaccharide, Tumor Necrosis Factor and Leukocyte Depletion" BRITISH JOURNAL OF PHARMACOLOGY, vol. 112, no. 1, May 1994 (1994-05), pages 111-116, XP002114975 the whole document --- -/--	45-50



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

### \* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

10 September 1999

Date of mailing of the international search report

28/09/1999

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# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/08076

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	<p>WO 99 32125 A (SCHERING CORP) 1 July 1999 (1999-07-01)</p> <p>page 1, line 25 - page 3, line 10; claims 1.2.5,7,11,12</p> <p>-----</p>	<p>1-5, 8-11, 14-17, 20-23, 26-29, 32-36, 43-50</p>

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/08076

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
Remark: Although claims 1-52  
are directed to a method of treatment of the human/animal  
body, the search has been carried out and based on the alleged  
effects of the compound/composition.
2. ☒ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such  
an extent that no meaningful International Search can be carried out, specifically:  
See FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all  
searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment  
of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report  
covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is  
restricted to the invention first mentioned in the claims: it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.



## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box I.2

Present claims 1, 2, 8, 9, 14, 15, 20, 21, 26, 27 and 45-48 relate to a method and a product defined by reference to a desirable characteristic or property, namely inhibition of leukotrienes.

The claims cover all methods and products having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such methods and products.

In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible.

Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the methods and products by reference to a result to be achieved. Furthermore, it is impossible to characterize a compound by its mechanism of action or its pharmacological profile. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the methods and products where the leukotriene inhibitor is a compound as disclosed in claims 40, 42, and 44. There are no examples indicating methods and products employing specific leukotriene inhibitors. The compounds disclosed on pages 12 and 3 of the description have also been searched. Finally, the leukotriene inhibitors have been searched by means of general terminology.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/08076

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0780127	A	25-06-1997	NONE	
WO 9932125	A	01-07-1999	NONE	